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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,502	04/27/2001	Martyn Gilbert	UDL-5648	3390
26294 7590 03/30/2007 TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P. 1300 EAST NINTH STREET, SUITE 1700 CLEVEVLAND, OH 44114			EXAMINER VU, THONG H	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/30/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 09/720,502	<b>Applicant(s)</b> GILBERT, MARTYN	
	<b>Examiner</b> Thong H. Vu	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2007.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 26-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. Claims 25-32 are pending.

***Response to Arguments***

2. Applicant's arguments, see pages 5-14, filed 3/02/07, with respect to the rejection(s) of claim(s) 26-32 under Bishop have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bishop.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 26-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Bishop [4,393,492].

3. Claim 26 Bishop discloses A device having at least first and second communications sections suitable for connection to similar devices along different bi-directional communications links [Bishop, a central office 12, subscriber terminal 14, and drop terminal 16, Fig 1],

said first communications section being arranged to respond to reception of a clock transition signal along a first communications link by transmitting a clock transition signal having the same polarity back along said first communications link, and said second communications section arranged to respond to reception of a clock transition

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signal along a second communications link by transmitting a clock transition signal having the opposite polarity back along said second communications link [Bishop, transmit and receive the same opposite signal and same polarity signal, col 35 lines 40-60].

4. Claim 27, Bishop discloses said first communications section holds a first clock logic level and an output, when the first communications section is not connected to another device, and wherein said second communications section holds a second clock logic level having an opposite polarity to the first clock state logic level as an input, when the second communications section is not connected to another device [Bishop, stored low level signal, col 15 lines 65. It's clearly the signal is sent only when the connection is made between devices].

5. Claim 28, Bishop discloses said second communications section holds a first clock logic level as an output, when the second communications section is not connected to another device, and wherein said first communications section holds a second clock logic level having an opposite polarity to the first clock state logic level as an output, when the first communications section is not connected to another device [Bishop, stored low level signal, col 15 lines 65. It's clearly the signal is sent only when the connection is made between devices].

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6. Claim 29, Bishop discloses the linked communication sections form a loop, when the first communications section is linked to the second communications section of another device or vice-versa through a bi-directional communications link, and wherein the device uses an oscillating clock transition signal passing around the loop as a clock signal for communication along the communications link [Bishop, loopback circuit, col 29 lines 48].

7. Claim 30 Bishop discloses the first and second communication sections are first linked, the difference between their held input and output clock logic levels causes the oscillating clock transition signals to begin passing around the loop [Bishop, loopback circuit, col 29 lines 48].

8. Claim 31 Bishop discloses An electronic communication network comprising at least first and second devices connected by at least one bi-directional communications link [Bishop, a central office 12, subscriber terminal 14, and drop terminal 16, Fig 1],

wherein a loop is formed by said first device receiving a clock transition signal along the communications link and sending a clock transition signal having the same polarity back along the communications link and said second device receiving a clock transition signal along the communications link and sending a clock transition signal having the opposite polarity back along the communications link, and wherein the first and second devices use the oscillating clock transition signals traveling around the loop to provide a clock signal to control data transfer along the communications link [Bishop,

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transmit and receive the same opposite signal and same polarity signal, col 35 lines 40-60].

9. Claim 32, Bishop discloses the clock transition signals traveling around the loop are used as said clock signal [Bishop, loopback circuit, col 29 lines 48].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 6:00AM- 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Lynn Feild*, can be reached at (571) 272-2092. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Thong Vu*  
**Primary Examiner**



THONG VU  
PRIMARY PATENT EXAMINER